

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

MASSACHUSETTS INSTITUTE OF
TECHNOLOGY
Plaintiff,

v.

CIVIL ACTION
NO.05-10990-DPW

HARMAN INTERNATIONAL
INDUSTRIES, INC
Defendant.

SCHEDULING ORDER

WOODLOCK, D.J.

This Order is intended primarily to aid and assist counsel in scheduling and planning the preparation and presentation of cases, thereby insuring the effective, speedy and fair disposition of cases, either by settlement or trial.

The above-entitled action having been heard on AUGUST 4, 2005, it is hereby ORDERED pursuant to Rule 16(b) of the Federal Rules of Civil Procedure and Local Rule 16.1(F), that:

- (1) Exchange of initial disclosures under FRCP 26 by **SEPTEMBER 4, 2005**
- (2) amendments and/or supplements to the pleadings shall be filed by **OCTOBER 4, 2005**;
- (3) MIT shall provide disclosure of asserted claims and preliminary infringement contentions by **NOVEMBER 4, 2005**;
- (4) HARMAN shall provide preliminary invalidity contentions by **DECEMBER 19, 2006**
- (5) Exchange of proposed terms and claim elements for construction and preliminary claim construction by **JANUARY 4, 2006**
- (6) a Further Scheduling/Status report shall be set for January 2006.

- (7) **ELECTRONIC FILING:** All future submissions in this case are subject to electronic filing and all counsel who choose to appear must make arrangements to register for participation in electronic case filing, if they have not already done so. In addition to electronically filing any pleading, counsel shall also file all submissions relating to dispositive matters with the Court in hard copy, clearly marked "**Courtesy Copy - Do Not Scan**" on the cover page of each pleading/submission. Notices, orders and memoranda of the Court will only be filed and served electronically.

All provisions and deadlines contained in this order having been established with the participation of the parties to this case, any requests for modification must be presented to the judge or magistrate judge, if referred for case management proceedings. Any requests for extension will be granted only for good cause shown supported by affidavits, other evidentiary materials, or reference to pertinent portions of the record. The request shall be made by motion and shall contain the reasons for the request, a summary of the discovery which remains to be taken, and a date certain when the requesting party will complete the additional discovery, join other parties, amend the pleadings or file motions. The Court may then enter a final scheduling order, if necessary.

Counsel are encouraged to seek an early resolution of this matter. Additional case management conferences may be scheduled by the court or upon the request of counsel, if the Court can be of assistance in resolving preliminary issues or in settlement.

By the Court,

/s/ Michelle Rynne
Deputy Clerk

DATED: October 10, 2005